

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

WEDNESDAY, THE 12TH SEPTEMBER 2007 / 21ST BHADRA 1929

WP(C).No. 27163 of 2007(H)

PETITIONER:

ISMAYIL KUTTY T.P., HIGHER SECONDARY
SCHOOL TEACHER (SR.) (HINDI),
GOVERNMENT HIGHER SECONDARY SCHOOL,
ORKATTERY, KOZHIKODE DISTRICT.

BY ADV. SRI.M.VIJAYAKUMAR

RESPONDENTS:

1. DIRECTOR OF HIGHER SECONDARY EDUCATION,
HOUSING BOARD BUILDING, SANTHI NAGAR,
TRIVANDRUM.
2. MOHAMMED BASHEER, H.S.S.T.(HINDI),
GOVERNMENT GIRLS HIGHER SECONDARY SCHOOL,
BALUSSERY, KOZHIKODE DISTRICT.

BY GOVERNMENT PLEADER SRI. A.J. VARGHESE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 12/09/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

S. SIRI JAGAN, J.
=====

W.P(C) No. 27163 of 2007
=====

Dated this, the 12th September, 2007.

J U D G M E N T

The petitioner is working as Higher Secondary School Teacher. During the general transfer, the petitioner requested for a posting at Govt. Higher Secondary School, Balussery where there was a vacancy available. According to the petitioner without considering the petitioner's representation in this regard the 1st respondent posted the 2nd respondent in that vacancy. The contention of the petitioner is that the 2nd respondent has not requested for a transfer to Government Higher Secondary School, Balussery and therefore the petitioner's request should have been considered in preference to that of the 2nd respondent. However, for the present the petitioner would be satisfied with a direction to the 1st respondent to consider Ext.P6 representation filed by the petitioner in this regard. In the nature of the order I propose to pass in this writ petition, I do not think it necessary to issue notice to the 2nd respondent.

2. I have heard the learned Government pleader also.

3. In the facts and circumstances of the case, there would be a direction to the 1st respondent to consider and pass appropriate orders on Ext.P6 representstion filed by the petitioner as expeditiously as possible, at any rate, within six weeks from the date of receipt of a

copy of this judgment after affording an opportunity of being heard to the petitioner as well as the 2nd respondent.

The writ petition is disposed of as above.

S. SIRI JAGAN, JUDGE.

Acd/